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April 13, 2018

VIA ECF  
Honorable Peggy Kuo  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

LETTER MOTION FOR ADJOURNMENT

Re: Adiaha A. Ruane v. Bank of America, N.A. and Chex Systems, Inc.  
Civil Action No. 17-CV-3704 (PKC) (PK)

Dear Judge Kuo:

We are the attorneys for defendant, Bank of America, N.A., in this action.

In accordance with Your Honor's Individual Practice Rules, please accept this letter as our request to briefly adjourn the settlement conference currently scheduled for May 1, 2018 at 2:00 pm to either May 9, May 10 or May 11, with a parallel adjournment of the settlement statement submission date currently set for April 24, 2018. From our review, we do not believe that this requested adjournment affects any other scheduled dates or deadlines set forth in the Court's Initial Scheduling Order dated January 9, 2018. This is the first request for an adjournment.

Earlier this week, we conferred with all counsel in this matter and plaintiff's counsel has consented to our application. However, counsel for defendant ChexSystems did not consent for the expressed reason that their client's designated attendee for the conference had previously purchased his ticket for the flight to New York on May 1 and that the settlement conference had been originally scheduled at the January 9 initial conference with the Court.

The reason for the request is that subsequent to the Initial Conference we received first advance notification on January 19 from our client's General Counsel office in Charlotte, NC that it was scheduling its annual meetings to be held in Charlotte this year beginning on May 1 through May 3 for all of its outside counsel litigation firms and its in-house counsel. This meeting is a central and important event by General Counsel to discuss various administrative and legal matters and counsel, both outside and in-house with their respective teams and supervisors, must attend. As the relationship partner and supervisor here at Wilson Elser regarding our firm's multi-State work for the bank, I must attend together with an additional attorney involved with work for our client. I had previously booked

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my hotel accommodations and am attending to the travel arrangements to Charlotte. Of equal importance, and likewise by reason of the foregoing, our client's in-house counsel familiar with the matter and who is the designated attendee for our client for the settlement conference advised me that he is unavailable due to his mandatory schedule with his supervisors, other in-house counsel, the General Counsel's office and the outside counsel firms, including myself, over the course of the three day Charlotte meetings. Due to a calendaring issue I had, I did not realize the conflict in dates until recently.

We thank the Court for your kind consideration of this urgent request.

Respectfully Submitted,

WILSON ELSE MOSKOWITZ  
EDELMAN & DICKER LLP



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cc: Via ECF and Email

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